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Bohemia's political claims. Those claims are nearer and more vital to us today than ever before. The claims of the Jugo-Slavs, while less familiar to us, are none the less just as vital. Where Americans find time to study the Austro-Hungary situation, they invariably conclude that the ordinary principles of nationality require that the Dual Monarchy must provide somehow for the independent national existence of four distinct groups within that territory, namely, German, Magyar, Czecho-Slovaks, and Jugo-Slav. We believe, also, that we should know our own minds about the Polish-speaking peoples, the Roumanians, the Ruthenians or Little Russians, and the Italian-speaking areas; but allied policy imperatively demands ready action in the case of these revolting Slavs. Bohemian independence would of itself mean an end of the Middle-Europe menace. We should go to her aid even as France came to our aid when a similar struggle faced us. Deprived of its ancient independence by force, even of its constitution granted by the Hapsburgs in 1848, Bohemia remembers the decree of Francis Joseph recognizing the Czech nation in 1871 and asks now only for what is her own. If the right of self-determination means anything it means something here.

What are we going to do? *The New Republic*, under date of June 15, referring to this situation, says: "This means that the first step toward the definite break-up of Austria-Hungary must be the establishment of a league of nations. It is not worth while to call Czecho-Slovakia and Jugo-Slavia into existence, to succumb shortly to German imperialistic enterprise. But no one would deny that it is worth while to call them into existence as free members of a great world league pledged to defend them against foreign aggression. . . . Such an association is needed now, as a guaranty to Czecho-Slovaks and Jugo-Slavs, Russians and Ukrainians and Finns, that if they will throw off the net of German influence the nations of the world stand ready to defend their independence forever. . . . Until Slavdom in their rear rises in a conflagration of revolt, the Russians rolling back over the lands lost at Brest-Litovsk, the Roumanians and Jugo-Slavs forcing upon Bulgaria and Hungary a mood for peace, the Czecho-Slovaks and Poles menacing Germany in the flank"—not until then will Germany take of her own volition her proper place, "deriving her security, not from her own broken sword, but, like the least of the nations, from the might and good will of the community of the world."

While we regret that we cannot agree with this position so far as a league to enforce neutrality of the new States is concerned, yet we are pleased to note the grow-

ing sentiment that these new States should be established and admitted to the Society of Nations. We would go so far as to say that we should recognize them as we recognized the Russian Revolution. The Czecho-Slovak National Council claims to be a provisional Republican Government for Bohemia. Possibly we could at least recognize that. Since a league of nations to enforce neutrality of the rights of small nations has neither prevented wars nor prevented the destruction of small nations, this suggestion of the enforce-peace-ers may be ignored. The proposal of a league to enforce the will of that league is an institution of force, and as such an inevitable menace to the peace of the world. We may well defer insisting upon leagues to enforce their will by arms, and first set up for all the nations the machinery of justice to which all nations may of right appeal, where all nations shall of right be heard, and where all nations shall of right receive their just rewards. This in itself is a long, long way, but it is the only way for States to evolve into that unity of behavior where law and equity shall be established and the rights and duties of States shall be adequately observed and performed.

Therefore, while Germany blindly aims to win Finland, Courland, Lithuania, Poland at the point of the bayonet, the Allied political strategy for the moment, and for the future, as well as our moral responsibility, is to win to the Society of Nations by the power of good will and good deeds these oppressed peoples by recognizing now the aspirations of these nationalities, by insisting upon them as terms of peace, and by providing for their perpetual fulfillment through the collective judgment of all the Powers as expressed in law-making and law-interpreting institutions universally supported and universally accepted.

FORCE AND A LEAGUE OF NATIONS

READERS of this magazine have noticed the persistency with which we run each month on our front page "A Governed World." A superficial reading of that page will, we assume, convince all that this Society believes in a League of Nations. Not that we hold a brief for that particular name, because the Society of Nations by any other name would be to us just as sweet. We are concerned with the thing. Whatever the name the nations may be brought to agree upon will be generally acceptable and accepted, whether that name be a League of Nations, a Federation, a Confederation, an Association, a Con-sociation, a Union, or even a Verband. We may note that the United States and the British Empire are both Leagues of Nations. That

about which we are concerned, we repeat, is not the name, but the thing.

It has been our privilege to devote a large proportion of our columns to various aspects of the problems involved in a League of Nations. We are doing so this month. We invite our readers to examine with care the Draft Convention by the American gentlemen appearing elsewhere in these columns, and also the interesting statement by Viscount Grey of Fallodon. All must agree at last with the distinguished British gentleman, former Secretary of State for Foreign Affairs, that there is no reason in history or in the logic of politics why there should not be a League of Nations to secure the peace of the world. We shall all agree that the success of such a league depends upon its adoption with earnestness and conviction by the executive heads of States. June 26, the House of Lords approved the principle of a League of Nations and commended to His Majesty's Government the study of the conditions required for its realization. There is no doubt that this conception has met with wide-spread cordial acceptance, indeed practically everywhere except with the German military party. So far as Germany is concerned, the hope lies with the German people, who will learn sooner or later that the use of force "causes at least as much suffering to themselves as to others." We all agree to these things. We are encouraged that men like Viscount Grey feel so deeply about them. The prospects for a governed world, as a result of this war, are more encouraging than ever before because such men say such things in these days.

And yet, a careful reading of that distinguished gentleman's paper leads us to believe that he has been led astray in at least four particulars. He has made an inaccurate observation, he has drawn a fallacious conclusion, he has contradicted himself, he has made use of a wrong analogy. These statements are made upon the assumption that he advocates the familiar program of the League to Enforce Peace, an assumption which seems to be justified by his "second condition."

The inaccurate observation consists in his inference that President Wilson favors the League to Enforce Peace. It is not surprising that he has drawn this conclusion. There are many persons in America who have been led to believe the same thing. The basis for this rather wide-spread conviction lies, we suspect, primarily in the wish that the President might favor such a League of Nations buttressed upon force. A secondary basis lies in the fact that persons connected prominently with the League to Enforce Peace, have claimed—doubtless in honest misunderstanding—that he does so. May 27, 1916, the President delivered in Wash-

ington an address before the League to Enforce Peace. The fact that he delivered such an address before such a body was heralded as an acceptance by the President of the program of that organization. If one reads that address, however, one finds that in the very first sentence he announced that he would not "discuss the program of the League," but that he purposed to confine himself to expressions of what he believed to be the thought and purpose of the people of the United States in the vital matter of "peace." He spoke of such things as the "principle of public right," "even-handed and impartial justice;" indeed he said: "In the dealings of nations with one another arbitrary force must be rejected." He then went on to say that "the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects and make them secure against violation," that "our interest is only in peace and its future guarantee;" that "the world is even now upon the eve of a great consummation, when some common force will be brought into existence which shall safeguard right . . . when coercion shall be summoned not to the service of public ambition or selfish hostility, but to the service of a common order, a common justice, and a common peace." Mr. Wilson here came nearer to advocating a League to Enforce Peace than elsewhere in any of his public utterances, but even in these words he does not speak of the "League to Enforce Peace" or of physical force at all. Indeed, his next sentence reads, "God grant that the dawn of that day of frank dealing and of settled peace, concord, and co-operation may be near at hand!" And these are the last words of the address. The fact is that the President of the United States has not anywhere subscribed to the principle of physical force to which Viscount Grey refers.

The fallacy in the noble gentleman's statement lies in the argument that since governments maintain peace between man and man by the employment of the police force, that is to say physical force, therefore governments must set up executive machinery to enforce by physical force peace between States. This is what the text books would call both a "fallacy in thing" and a "fallacy of composition and division;" for it is not logical thinking to conclude that because a given predicate may be properly affirmed of a given subject, that the same predicate may be therefore properly affirmed regarding all the accidents of the subject. The learned gentleman is further guilty of the "fallacy of equivocation" because he ignores the double meaning of the word force. It is here an inexcusable befogment not to distinguish between physical force and the force of public opinion.

But, as we have said, the learned statesman has also fallen into a self-contradiction. In his plan for a League of Nations he says: "Those States that have the power must be ready to use all the force, economic, military, or naval, they possess," and he adds "anything less than this is of no value." And yet elsewhere in the same address he says: "Germany has to be convinced that force does not pay," that the German people must be taught that "the use of force causes at least as much suffering to themselves as to others," and that "the security based upon law and treaty and the sense of mutual advantage is better than the risks, dangers, and sufferings of the will to supreme power and the efforts to obtain it." It would be difficult to find in the single utterance of any public man a more flagrant self-contradiction than this. It is difficult to conceive that one with the experience of this gentleman could within the same article argue for a universal militaristic machine and plead at the same time that "militarism has become the deadly enemy of mankind."

Furthermore, the article is largely based upon a faulty analogy, a fact which he practically admits. It has not followed that because the States of the American Union have found it necessary to organize a police force to protect their citizens from each other, or since the Government has found it necessary to set up a police force to execute the laws against individuals, that, therefore, the United States Government must set up a police to enforce its judicial decrees against the States. As a matter of fact, no such provision has ever been made. The execution of laws against States is not the same as the execution of laws against individuals. To speak of them as if they were, is a wrong analogy. We all know that the decisions of the Supreme Court of the United States against individuals can be and if necessary will be enforced by the police power, but we also know that decisions of the Supreme Court of the United States against States are not and never have been enforced in any such way. In the case of *Kentucky against Dennison* (24 Howard, 66, 111-110) the Supreme Court held that if judgment is rendered against a defendant State in behalf of the plaintiff State "there is no power delegated to the general Government, either through the judicial department or any other department, to use any coercive means." Indeed, the Supreme Court of the United States does not even compel a State to appear before it. In the case of *Massachusetts against Rhode Island* (12 Peters, 755-761) the Supreme Court held, "In suits against a State, if that State shall refuse or neglect to appear, upon due service of process, no coercive measure will be taken to compel appearance; but the com-

plainant, or plaintiff, will be allowed to proceed *ex parte*." During one hundred twenty years the Supreme Court of the United States has handed down eighty-one decisions in cases between States, and in no instance has it employed force to hale a State before it, or to compel the observance of its decrees.

When the use of force against a delinquent State was proposed in the convention that framed the Constitution of the United States, Mr. Madison declared that, "the use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts which it might have been bound by." And the convention expressly rejected the proposition. In the session of July 14, 1787, Mr. Madison, acclaimed by a grateful posterity as the father of the Constitution, and whose draft, introduced by Mr. Randolph of Virginia, was the basis of the Constitution itself, stated that the peculiarity of the proposed plan is that it operates "upon individuals within States and not upon the States"; and, as reported in his Notes of the proceedings of the Federal Convention, he called "for a single instance in which the Genl. Govt. was not to operate on the people individually?" To this question no answer was vouchsafed, and Mr. Madison thereupon expressed the views for which the *ADVOCATE OF PEACE* stands, namely, that "the practicability of making laws with coercive sanctions for the States as political Bodies, had been exploded on all hands." Mr. Ellsworth, in the Connecticut ratifying convention said: "This Constitution does not attempt to coerce sovereign States in their political capacity." Mr. Hamilton, in the New York convention, said: "To coerce the States is one of the maddest projects that was ever devised. . . . Can we believe that one State would ever suffer itself to be used as an instrument of coercion? The thing is a dream; it is impossible."

No one will deny that this more perfect union known as the United States of America is a League of Nations, or that between forty-eight States peace is maintained and that without the use of physical force. But the point here is that when one starts out to talk about the government of States, one should remember to employ analogies that really illustrate. It is natural that an uninformed person should, in his views of international questions, think primarily in analogies of a city police, but for a former British Secretary of State for Foreign Affairs to draw such an erroneous analogy is surprising.

Once again we plead with our readers, especially with those who find it difficult to conceive of a governed

world except in terms of physical force, to study the analogy closest at hand, the analogy of our not wholly unsuccessful enterprise known as the United States of America. Surely the nations will find it easier to go about the business of setting up a governed world by establishing first some form of an international law-making body to be accompanied by some form of an international court of justice, than by tying around the neck of the whole enterprise at the outset the millstone of physical force. We know the name of the nation that has predicated all national achievement upon force, and we have our ideas about that nation.

It is stated that the French Commission under the Presidency of M. Léon Bourgeois, working under the Ministry of Foreign Affairs, has reported to its government. This report sets forth the fundamental rules capable of affording the basis of a Society of Nations, and it has been submitted to the Allies for their approval. While the report will not be published until after this approval has been obtained, we are informed that the commission dismisses even the idea of setting up an international political State superior to other States, and defines the aim of the Society of Nations to be a substitution of law for force in the settlement of international disputes.

The well-known American scholar, Prof. John Dewey of Columbia University, addressing himself to the question of "What are we fighting for?", writes in *The Independent* for June 22 these words: "A federated concert of nations, on the other hand, with appropriate agencies of legislation, judicial procedure and administrative commissions would so relax tension between States as to encourage voluntary groupings all over the world, and thus promote social integration by means of the co-operation of democratically self-governed industrial and vocational groups." And he adds: "But if we are to have a world safe for democracy and a world in which democracy is safely anchored, the solution will be in the direction of a federated world government and a variety of freely experimenting and freely co-operating self-governing local, cultural and industrial groups. It is because, in the end, autocracy means uniformity as surely as democracy means diversification that the great hope lies with the latter. The former strains human nature to the breaking point; the latter releases and relieves it—such I take it, is the ultimate sanction of democracy, for which we are fighting."

The President's Fourth of July address is a plea for international justice sanctioned by organized public opinion, not a repetition of the error of the Holy Alliance and various other plans for an enforced peace achieved by the physical coercion of States. He said:

"These great objects can be put into a single sentence. What we seek is the reign of law based upon the consent of the governed and sustained by the organized opinion of mankind."

If in this country from 1787 to the present, all of the intelligence that has made our nation possible has opposed the principle of coercing States, it would seem the part of American sense to apply the same experience to the wider affairs of international government. Force we must have, but real force, the force which creates and directs physical force, the superior force, the super-force, the force of public opinion, without which physical force is always a menace. Preparedness to use physical force has brought civilization to the brink of ruin, and unless nations collectively succeed in developing this super-force greater than physical force, this ultimate sanction of all law, this "decent respect to the opinions of mankind," physical force will yet push civilization over the brink. If physical force were indeed the sanction of law, we human beings would now be living in holes of the ground, the constant prey of the sabre-toothed cats, and the playthings of Brobdingnagian beasts of land and sea.

THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

THE Year Book of the Carnegie Endowment of International Peace, 1918, being the seventh in the history of the organization, has just been received. The work of this Endowment, backed with the income of ten million dollars, has not ceased because of the war; rather it has increased. The Division of Inter-course and Education, under the direction of Nicholas Murray Butler, maintains special correspondents abroad and an European Advisory Council; the Division of Economics and History, under the direction of John Bates Clark, has its Committee of Research; and the Division of International Law, under the direction of James Brown Scott, maintains its relations with *L'Institut de Droit International*, the *Bibliothèque Internationale du Droit des Gens*, and with the Academy of International Law at The Hague. The Endowment has circulated at least two statements to make clear its whole-hearted approval of the war as the only possible means of eliminating the most formidable and dangerous enemy of peace, and has rendered and is rendering, furthermore, a direct service to the Government in various ways. The Secretary and Director of the Division of International Law holds a commission as Major and Judge Advocate in the United States Reserves, and as such he served from May 15, 1917, to